

# UNITED STATES DISTRICT COURT

Jul 06, 2022

SEAN F. McAVOY, CLERK

for

Eastern District of Washington

U.S.A. vs.

Miller, Tiare Aqua Leilani

Docket No.

0980 1:22CR02048-MKD-1

## Petition for Action on Conditions of Pretrial Release

COMES NOW Linda J. Leavitt, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Tiare Aqua Leilani Miller, who was placed under pretrial release supervision by the Honorable U.S. District Judge Mary K. Dimke sitting in the court at Yakima, Washington, on the 24<sup>th</sup> day of May 2022, under the following conditions:

**Standard Condition #9:** Defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substance defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner in conformance with Federal law. Defendant may not use or possess marijuana, regardless of whether Defendant has been authorized medical marijuana under state law.

**Special Condition #4:** Defendant shall submit to a substance abuse evaluation and undergo any recommended substance abuse treatment as directed by the United States Probation/Pretrial Services Office.

**Special Condition #9:** Defendant shall participate in a program of GPS location monitoring. Defendant shall wear at all times a GPS device under the supervision of United States Probation/Pretrial Services Office.

**Special Condition #10:** Home Detention: Defendant shall be restricted to Defendant's residence at all times except for the following: attorney visits; court appearances; case-related matters; court-ordered obligations; or other activities as pre-approved by the pretrial services office or supervising officer, including but not limited to employment, religious services, medical necessities, substance abuse testing or treatment.

## RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On May 26, 2022, the conditions of pretrial release supervision were reviewed and signed by Tiare Aqua Leilani Miller, acknowledging an understanding of her conditions.

Violation #1: Ms. Miller is alleged to be in violation of her pretrial release conditions by being terminated from inpatient treatment on July 2, 2022.

On June 22, 2022, Ms. Miller entered inpatient treatment at Lifeline Connections in Vancouver, Washington, as recommended by Merit Resource Services (Merit).

On July 2, 2022, this officer received a voice message from Lifeline Connections advising Ms. Miller was threatening other female residents in the facility and was being terminated. The Lifeline Connections staff member stated "this cannot be tolerated" and advised she was going to contact the Vancouver Police Department. This officer then received a call from a deputy with the U.S. Marshals Service, who advised he spoke with the Vancouver Police Department and they were not going to file charges; however, Ms. Miller was asked to leave the facility. Due to this officer being unavailable, Location Monitoring Specialist (LMS) Manning made contact with Ms. Miller via her cellular telephone, directed her to return to her listed residence in Wapato, Washington, and remain there until Tuesday, July 5, 2022. LMS Manning directed Ms. Miller to report to the Yakima probation office on July 5, 2022.

On July 5, 2022, this officer made telephone contact with Ms. Miller and asked her what occurred. She stated drugs were being "thrown over the fence" at the treatment facility. Ms. Miller stated one of the residents "came at" her when she confronted the resident about the drugs. Ms. Miller shared she was "defending" herself.

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Violation #2: Ms. Miller is alleged to be in violation of her pretrial release conditions by leaving her listed residence without permission and traveling to an unknown location in Wapato on July 3, 2022.

On May 24, 2022, Ms. Miller was released onto pretrial supervision with special conditions to include location monitoring with Global Positioning Satellite Surveillance (GPS) and home detention.

On July 2, 2022, Ms. Miller was terminated from inpatient treatment at Lifeline Connections in Vancouver. She was directed to travel to her listed residence in Wapato, and remain there until Tuesday, July 5, 2022, where she was approved to leave her residence at 9 a.m. to report to the Yakima probation office.

On July 4, 2022, this officer reviewed Ms. Miller's daily activities for the prior day via the B.I. Total Access Program. This officer observed Ms. Miller left her listed residence on July 3, 2022, at 22:03 hours and traveled to an unknown address located at [REDACTED] in Wapato. Ms. Miller then arrived back home at approximately 22:50 hours. Ms. Miller did not have permission to leave her residence.

On July 5, 2022, this officer made telephone contact with Ms. Miller regarding the above-noted deviation. She stated she had to pick up a vehicle that she let her friend borrow. This officer asked why she had to do this at 22:03 hours. She did not have an explanation. She acknowledged she did not have permission to leave her residence. To be noted, while speaking with Ms. Miller, this officer reviewed her whereabouts via the B.I. Total Access Program and observed she had been at the above-noted address of [REDACTED] in Wapato. Ms. Miller was not approved to be at this residence as she was only approved to leave her home and report to the Yakima probation office.

Violation #3: Ms. Miller is alleged to be in violation of her pretrial release conditions by deviating from her approved location monitoring schedule on July 5, 2022.

On July 5, 2022, Ms. Miller was approved to leave her listed residence and travel to Merit in Toppenish, Washington, to complete an updated substance abuse assessment in order to re-enter inpatient treatment. This officer approved Ms. Miller to leave her residence at 12:00 hours and to return by 14:30 hours. At 14:45 hours this officer received a notification from B.I. Total Access advising that Ms. Miller failed to return home by 14:30 hours. Ms. Miller was contacted via her cellular telephone. Ms. Miller stated her sister's car had broken down and she was heading home. This officer went into the B.I. Total Access Program to see where Ms. Miller was. Per B.I. Total Access, Ms. Miller was at [REDACTED] in Toppenish, a private residence. Ms. Miller was not approved to be at this residence.

Violation #4: Ms. Miller is alleged to be in violation of her pretrial release conditions by consuming methamphetamine on or about July 2, 2022.

On July 6, 2022, Ms. Miller admitted to this officer she consumed methamphetamine on or about July 2, 2022. She advised she was "upset" when she got terminated from inpatient treatment. She stated while waiting to get picked up from the treatment facility she met "some dudes" at the bus station and used methamphetamine with them.

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**PRAYING THAT THE COURT WILL ORDER A WARRANT**

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I declare under the penalty of perjury that the foregoing is true and correct.

Executed on: July 6, 2022

by s/Linda J. Leavitt

Linda J. Leavitt  
U.S. Pretrial Services Officer

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**THE COURT ORDERS**

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other

*m. k. dimke*



Signature of Judicial Officer

7/6/2022

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Date